

MINUTES

P & Z COMMISSION HEARING

March 18, 2004

ATTENDANCE

P & Z Commissioners

ATTENDED

1. John Dalton, Chairman
2. Frank Damato
3. Micah Lomaomvaya
4. Wendell DeCross
5. Tommy Joe
6. Drew Shumway
7. Gary Nelson

ABSENT

Bob Bailey
Roy Solomon

Staff Attendance

1. David Ashton, Director of Development Services
2. Lissa Davis, Planner II
3. Mary Bradley, Secretary

Meeting held at the Board of Supervisors Chambers, Holbrook, Arizona - Time 6:00 p.m.

John Dalton called the meeting of the Navajo County Planning & Zoning Commission to order, and explained the meeting procedures to the public. Mr. Dalton announced that this will be Frank Damato last meeting and thanked him for serving on the Planning & Zoning Commission. Mr. Dalton then led the Pledge of Allegiance.

Item # 1 **ZONE CHANGE:** Discussion and possible Commission action on a request by **Arizona Public Service** for a Zone Change from RU-1 (Rural – 1 acre minimum lot size Zoning District) to I-2 (Heavy Industrial Zoning District) on the subject properties, APN 107-22-003A and 021 in Township 18 North, Range 19 East, Section 23 of the Gila and Salt River Meridian, the Joseph City area. Ms. Davis indicated that they had not received any comments in favor or opposition in reference to this request. **Lissa Davis** gave a history of the project and presented maps showing the general area and the site plan (for security purposes they had not requested that APS give them a detailed site plan). The applicant's agent was not in attendance. Ms. Davis indicated that the Public Works Department has no objections. Staff recommends approval. **No one came forward to speak in favor or opposition regarding this matter.** **Wendell DeCross** asked staff why the applicant is seeking a Zone Change when it is all right for them to be there on RU-1 zoning. **Ms. Davis** indicated that this would allow for possible future development and to coincide with a similar zone change on an adjacent property that will be brought before the Commission in April. A motion was made by **Wendell DeCross** to approve the Zone Change. **Drew Shumway** seconded the motion. **John Dalton, Frank Damato, Drew Shumway, Gary Nelson, Micah Lomaomvaya, & Wendell DeCross** voted unanimously for the motion. Motion carried.

Tommy Joe arrived at the beginning of item number 2.

Item # 2 **ZONE CHANGE:** Discussion and possible Commission action on a request by **William Dupuy and P&O Investments** for a Zone Change from A-General Zoning District to C-R (Commercial-Residential Zoning District) on the eastern 300 feet of the subject property, APN 212-38-018B & C and APN 212-38-019C in Township 9 North, Range 22 East, Section 35 of the Gila and Salt River Meridian, the Lakeside area. **Lissa Davis** gave a history of the project and presented maps showing the general area and the site plan. Ms. Davis said that there are two separate applicants and the properties are contiguous. Since 1986, Setter Doors has been granted a Special Use Permit for parcels 212-38-018B & 018C. Ms. Davis indicated that they had not received any code compliance problems or had problems with meeting the stipulations. On parcel 212-38-019C on the southern part there is going to be a buffer, about 15 to 20 feet from the existing residential that is back there. Ms. Davis indicated that the Public Works Department has no objections. Staff is recommending approval. The applicant for **P & O Investments** was not in attendance. **William Dupuy** is one of the applicants and he was in attendance. Mr. Dupuy purchased the property from Gary Graham of Setter Doors with the understanding that he would still be able to have the same commercial usage. Mr. Graham later retracted what was said and indicated that he had a Special Use Permit. Mr. Dupuy indicated that they would need the commercial zoning and his intent is to fix up the building and rent it out. He has since rented out half of the building to a cabinet shop. The

other portion of the building he has made an agreement to lease it to Kirk Myers who builds log furniture. Mr. Dupuy said that they would do some landscaping, pull weeds, and repair the building and be a good neighbor. **No one came forward to speak in favor of this project.** **Dave Button** spoke in opposition and said that he owns the residence behind them on the west side. Mr. Button complained about the fence blocking the view from traffic on Woodland Road and also was concerned with the devaluation of his property. Mr. Button said that the previous owner had trash lying around and a culvert that was squashed on Settlers Lane and Woodland Road, which added to their field being under water. **Judy Button** spoke in opposition Ms. Button indicated that she did not have any concerns with what the applicant was suggesting to do with his property, but had heard rumors that the applicant was planning on placing a wrecking yard, bar, or heli-port on the property. Ms. Button asked if instead of them approving a Zone Change, could they issue them a Special Use Permit? Ms. Button indicated that the Special Use Permit would have control of what would be placed on the property. Ms. Button other concern was if the property owner ever decided to sell the property with the Zone Change (Commercial Use) then the property owners would be at their mercy of what ever was situated there. **Frank Damato & Drew Shumway** expressed concern with the issue of flooding, and asked how serious is it. **Lissa Davis** said that this is a natural drainage place and if they have an issue with the culvert they need to contact the Public Works Department. **Frank Damato** indicated that the applicant should have called the county and verified the zoning prior to buying the property. **William Dupuy** said that he called the county and they said it was in the General Plan for this to be Commercial Zoning, and if they would apply then they could get it approved. **Ms. Davis** interjected that her comment was that staff would recommend approval of this. **Wendell DeCross** said that he had some major concerns about adding commercial zoning in a residential area. A motion was made by **Frank Damato** to deny the Zone Change citing the flooding and drainage issue and adding commercial zoning in a residential area. **Motion died due to a lack of a second.** A motion was made by **Drew Shumway** to approve the Zone Change. **Gary Nelson** seconded the motion. Motion carried with **Tommy Joe, Drew Shumway, Micah Lomaomvaya** and **Gary Nelson** voting in favor of the motion. **Wendell DeCross, John Dalton** and **Frank Damato** opposed the motion.

Item # 3 Possible approval of February 19, 2004 Minutes. A motion was made by **Frank Damato** to approve the minutes. **Wendell DeCross** seconded the motion. Motion unanimously carried.

Item # 4 Possible approval of February 19, 2004 Executive Session Minutes. A motion was made by **Frank Damato** to approve the executive session minutes. **Wendell DeCross** seconded the motion. Motion carried with **John Dalton, Tommy Joe** and **Gary Nelson** abstaining (they were not at the February 19, 2004 meeting) and voting in favor of the motion were **Frank Damato, Wendell DeCross, Drew Shumway** and **Micah Lomaomvaya.**

Item #5: Commissioners' comments and/or directions to staff. Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions' choosing. **John Dalton** commented that a citizen approached him about a property on Sunset Road that is a junkyard. Mr. Dalton indicated that they are now placing junk out front within 30 feet of the street and asked staff to look into this. **Frank Damato** expressed concern that staff would tell William Dupuy that he would get approval for Commercial-Residential zoning.

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:08 p.m. **Gary Nelson** made a motion to adjourn. **Wendell DeCross** seconded the motion. Motion unanimously carried.

NOTE: a copy of the agenda background material provided to the Commission Members (with exception of material relating to possible executive sessions) is available for public inspection at the Development Services Office, Navajo County Complex, Holbrook, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Approved this _____ day of _____, _____.

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Development Services